

Fred Sullivan  
Chairman  
  
Janine L. Burke  
Executive Director



Scott Avedisian  
Mayor

**Warwick Sewer Authority**  
125 Arthur W. Devine Boulevard  
Warwick, RI 02886  
Voice: (401) 739-4949 • Fax: (401) 739-1414

## **BOARD MEETING MINUTES**

**Tuesday, February 26, 2013, 5:30 p.m.**  
**Warwick Sewer Authority Conference Room**  
**125 Arthur W. Devine Boulevard**  
**Warwick, RI 02886**

<b>Board Members present:</b>	<b>Guests:</b>
Fred Sullivan, Chairman	Erik Meserve, P.E., AECOM
Peter Ginaitt	Dennis Setzko, P.E., AECOM
Gary Jarvis	Councilman Ed Ladouceur, Ward 5
Steve Sylven, P.E.	John Howell, Warwick Beacon
<b>Board Members not present:</b>	
Aaron Guckian, Secretary	
<b>Staff present:</b>	
Janine L. Burke, Executive Director	John Revens, Legal Counsel
Scott Goodinson, Asst. Superintendent	Lynn F. Owens, Administrative Coordinator

**1. Call to Order** At 5:36 p.m. Chairman Sullivan called this meeting to order.

### **2. Approval of Minutes**

a. Approval of minutes from the regular meeting held January 24, 2013.

ACTION: Mr. Sylven moved approval of the minutes. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Sylven and Jarvis voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion approved.

### **3. Phosphorus Removal Project**

a. AECOM to submit progress report

Mr. Erik Meserve, P.E., AECOM, provided an updated progress report on the phosphorus removal project. He stated the design plans are complete and have been submitted to RIDEM for their review. He stated the application for an Order of Approval (for funding) has been completed (see item 5 a.).

Mr. Meserve submitted AECOM's response to Mr. Sylven's comments about the hydraulic calculations.

#### **4. Flood Protection and Mitigation**

##### **a. Financial Report of Flood Expenses**

Director Burke stated she received an email from FEMA this week; they have approved funding for our largest project, the Hart Engineering facility restoration work, just over \$3 million in reimbursement for those flood-related costs.

##### **b. Flood Protection design contract progress report: AECOM**

Mr. Meserve reviewed the submitted progress report on the levee project. Director Burke said she was still waiting to hear about the availability of additional community development block grant (CDBG) funds to finish the design work (approximately \$203,000 needed). She stated in the mean time, AECOM has been busy assisting her with providing additional documentation and back-up to FEMA for our Benefit-Cost Analysis for the levee and storm drainage improvements as they continue to review our request for grant funding.

Mr. Meserve reviewed the combined projects schedule with the Board. He stated with the CDBG funding being a moving target, there's only so far AECOM can go until the next level of funding is available. He stated the May 1<sup>st</sup> completion date is still the goal, so the phosphorus project can be rolled into the levee project. Mr. Setzko stated the schedule has been compressed. Mr. Sylven asked Director Burke about the likelihood of getting funding. Director Burke stated she received a verbal confirmation to use the funds, but written authorization is required. Mr. Sylven asked if it would be reasonable to expect delays in the scheduling due to this funding issue. Director Burke stated yes.

##### **c. Bellows Street Pumping Station**

###### **i. Crossman Engineering to submit progress report**

Director Burke stated Crossman and Lynch continue to work on the shop drawings; once approved, Lynch will start to drive the piles for the new wet well. She stated they are expected to start digging again in about 3 weeks. She stated WSA has received the first grant funds reimbursement from the Economic Development Administration.

## **5. Operation and Maintenance Division**

### **a. Application Fee for Order of Approval**

Major Wastewater Treatment Facility Modifications, Contract 91:  
Phosphorus Removal Upgrade/Flood Control & Mitigation Project.  
Rhode Island Department of Environmental Management, \$6,000.00

ACTION: Director Burke stated in addition to submitting the plans and specifications to DEM for review and approve, a \$6,000 permit fee must be submitted. She stated this fee will be charged to the project.

Mr. Sylven stated that he finds it unwarranted for the State to charge a \$6,000 fee to review design documents. He commented that review of design documents is one of DEM's tasks as an agency, and questioned why WSA must pay a fee. Mr. Ginaitt asked if the City charges for plan review. Director Burke stated there are plan review fees for the Fire Department.

Mr. Jarvis moved approval. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

### **b. Extension of Contracts Bid #2013-3: Wastewater Treatment Chemicals**

ACTION: Assistant Superintendent Scott Goodinson reported that WSA uses eight bulk chemical items throughout the year. He stated five vendors have agreed to extend current contract prices for an additional year, as allowed in the bid specifications. He explained that prices for caustic, bioxide and liquid polymer are going up and so WSA will go out to bid for those products. Director Burke stated the terms of the bid specifications allow us to extend the awards in the best interest of the WSA. Mr. Ginaitt asked if an analysis was done to determine that this extension would benefit the City. Mr. Goodinson stated we are satisfied that this contract extension is in the best interest of the WSA.

Mr. Jarvis moved to extend the contracts based on the research conducted and information gathered. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

### **c. Purchase Authorization: Replace variable frequency drive (VFD) at Capron Farms pumping station. Northeast Distributors: \$5,036.74**

ACTION: Director Burke explained that WSA purchased a replacement variable frequency drive for the motor at the Capron Farms pumping station, valued at \$4,996, but the shipping fees put the expense over

\$5,000, which requires Board approval. She stated the vendor has since waived the shipping fees, therefore, Board authorization is not required.

No action required.

## **6. Collection Systems Division**

- a. Bayside I-III Sewer Project: Amendment to GRA contract/design services  
ACTION: Held from 8-23-12.

Director Burke stated there has been no new activity.

- b. Update on status of future sewer construction
  - i. Rocky Point reserve capacity

DISCUSSION/ACTION: Chairman Sullivan stated that years ago WSA made a commitment of 75,000 gallons per day sewer capacity to the Rocky Point property owners. Mr. Jarvis questioned if the allocated capacity stays with the property as it changes hands. Mr. Revens stated generally speaking, when a property owner contributes to the construction (of sewers) and gets an allocation, the language in the agreement would provide that the allocation runs with the land. He stated in terms of the Chairman's comment, it's been reported that the State (new owner) would consider at some point in time a public-private partnership to allow appropriate activities on the site that might provide some funding back to the State. He stated there are a lot of options with the property. He said whatever those uses turn out to be, they may not use the full sewer capacity. Mr. Revens stated at some point that capacity may come back to WSA; whether it comes back as a gift or we have to buy it back, WSA would need legal paperwork for that transaction. He stated we won't know how the State plans to use the land until a master plan is presented to the public.

Mr. Ginaitt stated WSA should do its due diligence, review the legal documents, and know what our obligations are before making plans for sewer expansion in the area. Mr. Revens will review the Rocky Point records again. Mr. Sylven asked when the reserve capacity was created. Mr. Revens provided a synopsis of Rocky Point's history; its owners paid for the extension of sewers to the area and the reserve capacity for potential future development at Rocky Point. The Board discussed flow capacity at the neighboring pump stations and the treatment facility.

## 7. Billing Services

### a. Sewer Usage Abatement

Name	Service Address	Reason	Amount
Matthew Incera	15 Francis Street Plat 317 Lot 378	Leak in meter pit. Repaired in August 2011, but still had service leak after pit. Confirmed by Warwick Water Dept.	\$1,682.69

ACTION: Director Burke confirmed that the water that leaked was not returned to WSA for treatment, and the adjusted bill was based on a three-year average of water consumption at the property.

Mr. Ginaitt moved approval. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

### b. Sewer Assessment Abatement

Name	Service Address	Reason	Amount
Tracey A. Dunn Christopher Dunn	27 Kristen Court Plat 314 Lot 73	Property is a "corner" lot with all 180 feet of frontage located on Kristen Court. Fair and equitable to assess on longest side plus half the arc of the "corner".	\$3,116.00

ACTION: Due to the change in meeting date, the customer was unable to attend; requested hearing on 3-28-13.

Mr. Sylven had a few questions about this abatement request. Property owners will be present at the next meeting to present their case before the Board.

## 8. Administrative Items

- a. Director's Report
  - i. Financial Report
  - ii. Administrative Items
  - iii. Cesspool Phaseout update

Director Burke stated in addition to the monthly loan report, she had Ms. Owens send the Board the monthly budget report (account balances as of 1-31-13). She stated expenses are typically higher than revenues this time of year; 95% of debt service payments have been made and not all of our revenue has been billed.

Mr. Ginaitt asked about the sewer connection grant line item. Director Burke stated the revenue is from the billboard lease. She stated the Board authorized the use of that money for connection grants, however, because not many property owners are using the grant program right now, the housing officer doesn't need the funds. She stated if he doesn't need that money by the end of the fiscal year, WSA could put it towards the budget's bottom line. The Board and Director Burke discussed reasons

why the funds are not being used at this time and ways to promote the connection grant program. Director Burke suggested that Bill Facente, the City's housing officer who administers the grant program for WSA, come to our next Board meeting to discuss the grant program.

Director Burke reported that the WSA staff was in the process of drafting the FY14 budget. She said the end-of-year projections for FY13 and preliminary FY14 budget numbers are due to the Finance Office by the end of the month. Director Burke stated she would like to schedule a workshop with the Board next month to review the entire proposed budget and get comments. She stated she'd like to put it on the agenda for a public hearing and vote in April so that it will be done in time for presentation to the City Council which is usually in May.

Director Burke stated GIS maps are available for review tonight. She also reported that she has contacted RIDEM to get an update on the Cesspool Phaseout Act and its enforcement plans.

**b. Chairman's Report**

Chairman Sullivan suggested forming a committee to review the West Warwick sewer allocations and our reserve capacity, and the possibility of returning some of that flow to Warwick to reduce our financial commitment to West Warwick. Director Burke explained that when West Warwick upgrades its facility, Warwick must contribute to the cost of the upgrades because of our reserve capacity at their plant. Mr. Sylven inquired about our intermunicipal agreement with West Warwick. The Board, Director Burke and legal counsel discussed the history of the intermunicipal agreement, our facilities plan and future build out and land re-use along the West Warwick border. Mr. Sylven offered his assistance in reviewing the matter.

**c. Sewer Assessment Committee Report**

Mr. Jarvis stated the sub-committee has been looking at many different ways of improving assessment equity. He stated there are inequities in every sewer construction project. He stated we are at a point now where we need to review the enabling legislation, change some of the rulings to give the Authority the ability to change how we do things so there is more equity. He said the hope is to award a contract for consulting services to review our enabling legislation and recommend changes (General Assembly must approve all changes to the WSA enabling legislation). Mr. Jarvis stated the Mayor appears to be on board and he's willing to seek some advice and consent from the City Council.

## **9. Drainlayer Consent Agenda – 2013 License Renewals**

- a. David Skurka, Skurka Construction Co., Inc., 301 East Greenwich Avenue, West Warwick.

ACTION: Mr. Ginaitt moved approval. Mr. Sylven asked for additional information about this drainlayer. Director Burke stated he worked extensively in West Warwick with D & D Construction; she is not aware of any claims against the company. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **10. Consent Agenda - Correspondence**

- a. WSA to RIDEM re: Interceptor Bond Fund Requirements (1-28-13)
- b. WSA to USEPA re: 2012 CMOM Program Annual Report (1-31-13)
- c. WSA to CRMC re: MSCP Quarterly Report (1-31-13)
- d. WSA to City Council re: Monthly financial report (2-1-13)
- e. WSA to RIEMA Hazard Mitigation Grant Program applications (2-15-13)
- f. Homeowner Safety Valve Co. revenue share report (2-11-13)
- g. WSA to RIDEM requesting extension of schedule for project (2-21-13)
- h. WSA to RIDEM re: Compliance Inspection Evaluation (2-22-13)
- i. WSA Director's Monthly report to Mayor Avedisian (2-22-13)

ACTION: Director Burke called to the Board's attention the results of the annual compliance inspection evaluation conducted by RIDEM (item h). She stated of the 168 inspection items, only one needed attention. Chairman Sullivan thanked all those involved in the inspection process.

No action taken.

## **11. New Business**

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business introduced.

## **12. Old Business**

- a. Amendments to By-Laws
- b. Modifications to Septage Hauling Regulations
- c. IPP Local Limits Study
- d. WSA Resolution Supporting Revenue Bond Issuance for new sewer construction projects
- e. Mandatory Sewer Connection Program/Connect Capable Fee
- f. Infrastructure Improvement: 48" line under Rte. 95
- g. Changes to Enabling Legislation

- i. Section 2.17 (b) Mandatory Connections (8-23-12 C.R.)
- ii. RFP #2013-187 Professional Consulting Services (1-24-13)
- h. Phosphorus Removal Project: Deadline extension (8-23-12 C.R.)
- i. WSA Sewer Assessment Deferment Policy (9-27-12 C.R.)
- j. WSA GIS Presentation
- k. Request for Proposals for Lobbying Services

DISCUSSION/ACTION: no discussion or action.

### 13. PUBLIC COMMENT PERIOD

Chairman Sullivan explained the guidelines of the public comment period. At 6:38 p.m. the public comment period started.

Mr. John Howell, editor of the Warwick Beacon, and member of the Rocky Point Foundation, provided information about a recent meeting held to discuss the future of Rocky Point. He stated the use of compost systems for handling waste at the site was mentioned. He stated there will be several public meetings over the next few months to solicit public input on the use of the land.

Councilman Ed Ladouceur began his public comment at 6:42 p.m. He appealed to WSA to bring the right people to the table to figure out how to sewer the Highland Beach and Riverview areas of Ward 5. He stated wastewater disposal is a significant issue in his ward and spoke about the economic and financial impact of failing cesspools and sewer availability to his constituents and the City.

At 6:47 p.m. the public comment period ended.

### 14. Adjournment

Mr. Ginaitt moved to adjourn the meeting. Messrs. Sylven and Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

AT 6:48 p.m. this meeting ended.

---

Aaron Guckian, Secretary

Date of Approval \_\_\_\_\_